

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: ZON-17856 - APPLICANT: REBECCA BURTON - OWNER: TOWANDA, LLC**

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**\*\* CONDITIONS \*\***

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

**Planning and Development**

1. A Resolution of Intent with a two-year time limit is hereby granted.
2. A Site Development Plan Review (SDR-18788) application approved by the City of Las Vegas is required prior to issuance of any permits, any site grading, and all development activity for the site if approved.

**Public Works**

3. Dedicate a 10-foot radius on the southeast corner of Sixth Street and Gass Avenue prior to the issuance of any permits; coordinate with the Right of Way section of the Department of Public Works for assistance in the preparation of appropriate documents.
4. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current Downtown Centennial Plan standards, except in cases of approved Waivers, concurrent with development of this site.
5. No required parking shall be allowed within the public right-of-way.
6. Landscape and maintain all unimproved rights-of-way, if any, on Gass Avenue and South Sixth Street adjacent to this site. All private improvements and landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
7. Submit an Encroachment Agreement for all landscaping located in the Gass Avenue and South Sixth Street public right-of-way adjacent to this site prior to occupancy of this site.
8. This site will be subject to the traffic signal impact fee as required by Ordinance No. 5644 at the time permits are issued.

9. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage paths for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways as recommended.
10. Sign and record a Covenant Running with Land agreement for the possible future installation and/or relocation of half-street improvements in accordance with Downtown Centennial Standards for all improvements not required to be constructed at this time as a result of the requested Waiver. Such Covenant Running with Land agreement shall record prior to the issuance of any permits for this site.

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

The project request is to allow a Rezone from R-4 (High Density Residential) to P-R (Professional Office and Parking) on 0.16 acres at 801 South Sixth Street, southeast corner of South Sixth Street at Gass Avenue.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b>	
1983	The Board of Zoning Adjustment considered and approved a request for a Special Use Permit (U-0042-83) to allow Professional Offices on property located at 801 and 803 South 6th Street, where such use is not permitted, R-4 (High Density Residential) Zone.
11/21/63	The Board of Zoning Adjustment considered a request for Use Permit (U-0073-63) to allow a real estate office at the southeast corner of Gass Street and Sixth Street, R-4 (High Density Residential) Zone.
01/25/07	<a href="#">The Planning Commission recommended approval of companion item SDR-18788 concurrently with this application.</a>  <a href="#">The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #9/ja).</a>
<b><i>Pre-Application Meeting</i></b>	
01/23/06	A Pre-application meeting was held with the applicant. Staff advised the applicant of parking requirements for the P-R Zone and the need for handicapped parking to meet current code. Subsequent to this meeting and due to the proposed change in use from single family residential to office, staff determined additional assessment of the project was needed via a Site Development Plan Review.
<b><i>Neighborhood Meeting</i></b>	
A neighborhood meeting was not held for this type of application nor is one required.	

<b><i>Details of Application Request</i></b>	
<b><i>Site Area</i></b>	
Gross Acres	0.16 acres

<b>Surrounding Property</b>	<b>Existing Land Use</b>	<b>Planned Land Use</b>	<b>Existing Zoning</b>
Subject Property	Single Family Residential	Office and Parking	R-4 (High Density Residential)
North	Parking	Mixed-Use	P-R (Professional Office and Parking)
South	Office	Commercial	R-4 (High Density Residential)

East	Office and Parking	Commercial	P-R (Professional Office and Parking)
West	Office and Parking	Mixed-Use	C-1 (Limited Commercial)

<b><i>Special Districts/Zones</i></b>	<b><i>Yes</i></b>	<b><i>No</i></b>	<b><i>Compliance</i></b>
<b>Special Area Plan</b>			
Downtown Centennial Plan	Y		Y
Downtown Redevelopment Plan	Y		Y
<b>Special Purpose and Overlay Districts</b>			
Downtown Overlay District	Y		Y
<b>Trails</b>		N	Y
<b>Rural Preservation Overlay District</b>		N	Y
<b>Development Impact Notification Assessment</b>		N	Y
<b>Project of Regional Significance</b>		N	Y

## DEVELOPMENT STANDARDS

*The proposal is located within the Downtown Overlay District. All structures within this district are exempted from the automatic application of the height limitation, required setbacks, lot width, and lot coverage requirements specified in Title 19 - Section 19.08.050 Commercial Development Standards. The following table references development standards for the P-R (Professional Office and Parking) Zone District in comparison to the proposed site development:*

<b><i>Standard</i></b>	<b><i>Required/Allowed</i></b>	<b><i>Provided</i></b>	<b><i>Compliance</i></b>
Min. Lot Size	NA	NA	Y
Min. Lot Width	60	50 feet	Y*
Min. Setbacks			
• Front	20	20	Y
• Side	5	7	Y
• Corner	15	80	Y
• Rear	15	78	Y
Max. Lot Coverage	50 percent	17	Y
Max. Building Height	Lessor of 2 stories or 35 feet	1 story	Y
Trash Enclosure	1	1	Y

*\*Property is located in Downtown Overlay District and is exempt from minimum lot width requirements.*

## ANALYSIS

The proposed project will allow for the conversion of an existing one story 1,215 square foot single-family residence to a law office. Existing vehicular access will be maintained via Gass Avenue, South Sixth Street, and a public alley.

The project is located within the Downtown Centennial Plan area which contains specific site planning, streetscape design, and transportation and parking standards. As such, a Site Development Plan Review (SDR-18788) will be considered concurrently with this rezone request. A 40-foot public Right-of-Way along Gass Avenue and South Sixth Street limit the projects ability to meet required landscape buffers. Waivers to perimeter landscape buffers and Downtown Centennial Plan Streetscape standards are included in the request.

The project structure was reviewed by Historic Resources Planning staff and was determined to not be ineligible for historic designation. Minor exterior modifications to repair the roof, repaint building walls, and replace windows are included in this proposal.

- **Zoning**

The project site is currently zoned as R-4 (High Density Residential). The request to rezone to P-R (Professional Office and Parking) would be compatible with the surrounding commercial and office and parking zones and this zone allows professional office uses.

## FINDINGS

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

1. **“The proposal conforms to the General Plan.”**

The proposed P-R (Professional Office and Parking) Zone district is consistent with the Commercial land use designation of the General Plan.

2. **“The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.”**

The proposed P-R Zone is consistent with surrounding Limited commercial and Professional Office and Parking zones as well as existing office, parking, and mixed uses.

3. **“Growth and development factors in the community indicate the need for or appropriateness of the rezoning.”**

The intent of the Downtown Centennial Plan is focused on revitalization of the Urban Core. The proposed rezone will achieve the spirit and intent of this plan as the proposal will allow for the operation of professional office services upon an underutilized site.

4. **“Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.”**

Existing neighborhood street capacity is adequate and the proposed rezone will not result in significant trip generation.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 19

**ASSEMBLY DISTRICT** 13

**SENATE DISTRICT** 9

**NOTICES MAILED** 295 by Planning Department

**APPROVALS** 0

**PROTESTS** 0